

2002/0051796, paragraph 2). Further, in one of its embodiment, the cosmetic device may be prepared extemporaneously by the user (see US 2002/0051796, paragraph 37).

Therefore, it is evident to one of ordinary skill in the art from the reading of the specification that the invention encompasses the provision, to a user, of a solution according to the invention with a cosmetic device under the form of a patch, to be impregnated by the user immediately prior use.

This part of the invention, fully described in the instant specification (see, for example, US 2002/0051796, paragraphs 2, 35-37), is implicitly a kit.

Withdrawal of the Section 112, first paragraph, rejection of claim 28 is requested.

The Section 112, second paragraph, rejection of claims 4, 7-9, 15, 17-26 and 28 is traversed. Reconsideration and withdrawal of the rejection are requested as the applicants believe the metes and bounds of the claimed invention will be appreciated by one of ordinary skill in the art. Consideration of the following in this regard is requested.

The applicants submit that the instant specification provides sufficient basis for the exclusion of "substantial" amount of water from the solution in accordance with the presently claimed invention and that the inclusion of substantial amounts of water would materially affect the characteristics of the claimed invention, which require the presence of a solution.

Firstly, the Examiner is requested to appreciate that a solution, to one of ordinary skill in the art, describes a homogenous mixture of molecules (see attached page 1090 of the Dictionary of Science and Technology, T.C. Collocott (Ed.), W & R Chambers, London England (1971)).

The self-adhesive hydrophobic polymer forms with the organic solvent as a solution because of the interaction between the molecules of solvent and hydrophobic polymer. It is known that a hydrophobic compound does not engage interactions with water. Consequently, one of ordinary skill in the art will appreciate that the introduction of water in a solution according to the invention will result in the loss of homogeneity owing to the appearance of two phases, one aqueous, and the other comprising the organic solvent with the hydrophobic polymer. The claimed requirement for a solution will be negatively impacted and impossible to obtain in the presence of substantial amounts of water.

Furthermore, the solution in accordance with the instant invention has to evaporate at room temperature once applied onto a support (see attached US 2002/0051796, paragraphs 14, 37-38). This evaporation has to be fast, given the cosmetic device may be prepared with the solution just prior to use (see US 2002/0051796, paragraph 37).

One of ordinary skill will appreciate that water does not evaporate rapidly at room temperature. Therefore, it will be clear to one of ordinary skill in the art that a substantial amount of water in a solution according to the invention will deprive the solution of the ability to quickly evaporate at room temperature.

In addition, the fact that the solution may contain water-soluble or water-absorbing agents does not imply that such agents are effectively solubilized within the solution. To the contrary, the instant specification indicates that such agents, when present, are in a dispersed state (see attached US 2002/0051796, paragraphs 27, 31-32).

Finally, the amount of water which will be substantial, in the sense of a negative impact on the properties of the claimed invention, will be determinable by one of ordinary skill with, at most, a reasonable amount of experimentation.

Withdrawal of the Section 112, second paragraph, rejection of claims 4, 7-9, 15, 17-26 and 28 is requested.

The Section 103 rejection of claims 4, 7-9, 15, 17-22, 25, 26 and 28 over Higo (WO 96/16642) and Hori (U.S. Patent No. 4,500,683), is traversed. Reconsideration and withdrawal of the rejection are requested in view of the following distinguishing comments.

The current independent claim 18, for example, recites *inter alia*, the presence of "20 to 60% by weight at least one self-adhesive hydrophobic polymer which is of linear structure, non-unique, non-water soluble and is selected from copolymers of the acrylic/vinylic type, said hydrophobic copolymer consisting of units derived from monomers selected from C<sub>1</sub>-C<sub>20</sub> alkylacrylates, vinylacetate and acrylic acid".

According to the specification of the instant application, the use of a particular hydrophobic polymer in the solution for the preparation of a cosmetic device in accordance with the invention allows the cosmetic device to instantaneously release active substance, with a simultaneous cleansing action, while also having excellent self-adhesiveness (see attached US 2002/0051796, paragraphs 2-3, 10).

The skilled person in the art would not have found incentive from the cited art to combine the teaching of Hori et al. with the teaching of Higo et al. because the application of Hori et al. does not mention nor suggest that the hydrophobic polymers described herein would be usable for manufacturing a patch type device endowed with

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November 29, 2004

the properties of instantaneous releasing of active substance with simultaneous cleansing action, associated with excellent self-adhesiveness properties.

Consequently, contrary to the opinion of the Examiner, the presently claimed invention would not have been obvious from the combination of cited art.

Withdrawal of the Section 103 rejection is requested.

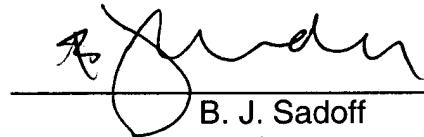
The claims are submitted to be in condition for allowance a Notice to that effect is requested.

The Examiner is requested to contact the undersigned if anything further is required in this regard.

Respectfully submitted,

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DICTIONARY OF  
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**sabotier process** (*Chem., Eng.*). Process for removing mercaptans from petroleum fractions by 2-stage treatment with caustic soda and sodium cresyl solution.

**Sodium Series** (*Geol.*). A series of grey, purple, and red sandstone, shales, and dolines forming the lowermost group of rocks which belong to the Middle Cambrian System in South Wales.

**Sodium Association** (*Chem.*). The associations or combination of molecules of solvents with solute ions or molecules.

**Sodium's ammonia soda process** (*Chem.*). A process based on the fact that when a concentrated solution of sodium chloride is saturated with ammonia, and carbon dioxide is passed through, sodium hydrogen carbonate is precipitated and ammonium chloride remains in solution. Used for the manufacture of sodium bicarbonate from chloride.

**Sodium** (*Chem.*). That component of a solution which is present in excess, or whose physical properties are the same as that of the solution. (*Phys.*)

**Sodium** (*Zool.*). One of the divisions of segments of the body in a metademic animal; a metademic monochorobranchiate (*Zool.*). One of the divisions of segments of the body in a metademic animal; a metademic monochorobranchiate (*Zool.*)

**solid circuit (Electronics).** (1) Modulation of, thoughts and sloping ground, characteristic of, thoughts and research led, regions subjected to periods of alternating freezing and thawing.

(2) Components can be realized in one mass, e.g., resistors, capacitors, transistors, diodes, etc. Subminiature realization of a circuit in three dimensions, e.g., as built up as part of a semiconductor crystal or by etching or deposition on a substrate.

(3) Movement of atoms through the crystals of solid metal, as when carbon diffuses into or out of steel during carburizing or decarburizing respectively.

**solid form (Build).** A block made of wood blocks laid on a concrete subfloor.

**solid gas (C. Engr.).** A cylinder or cylinder block cast in one piece, as distinct from one with a detachable engine.

**solidification range (Chem.).** The range of temperatures in which solidification occurs in alloys and silicate melts, etc., other than those which freeze at constant temperature. It extends from a point on the liquidus to one on the solidus.

**solid ground,** characteristic of, thoughts and research led, regions subjected to periods of alternating freezing and thawing.

**Solifluction (Zool.).** An order of Archelaidae with body divided into a prosoma and opisthosoma but no pedicel. The body and limbs are very slender and there is no tail, the pedipalps have long suckers and there is a well developed ventral system.

**Solidaria phase (Zool.).** One of the two main phases of the locust (*Oligoptera*) (see *Locust* phase) (larva) which occurs when nymphs occur in situations. They adjust their colour to match the ground and lack the activity and gregarious tendencies of the adult.

**Solidaria phase (q.v.).**

**Solidum (Build.).** A loam which is open to the air.

**(Mining).** Landing stage between two shafts in a shaft. Also solid, muller.

**Solids' centre (Zool.).** The centre of density in the shell of *Pecten*.

**Solitaire (Chem.).** Indicator for solubility.

**Solatium Black (Chem.).** Indicator for calcium carbonate insulation of both calcareous concretions in hard water (red colouration).

**SOMATIC SEGMENT** In developing starvo. Somatic segment of atom (*Mee.*). Atomic model developed from Bohr atom, but allowing for elliptic orbits with radial, azimuthal, magnetic, and spin quantum numbers. Modern theories modify this by regarding the electrons as forming a cloud, the density of which is described in terms of their wave function. (See also *atom*, *Bohr atom*, *electron*, *orbital*, *quantum mechanics*, *spin*.)

**SOMONIUM** A condition of exhaustion, weariness, etc., resulting from overstrain or overexertion. It is characterized by a desire to sleep, drowsiness, and a general sense of weariness.

**SOMONIUM LIQUOR** A tincture of dried metal salt from aqueous liquor into an immiscible organic liquid after all the innumerable surfacings together followed phase separation. (See also *metallurgical etching* (*Polar.*)).

**SOMONIUM LIQUOR** (Continued) By the reaction of two parts, mixed immediately before use. The Somonium liquor system is a pigmented provider of a cuticle bath a mixture of phenols and amines. Flow is controlled by including bentonites in the powdered part to support structure.

**SOMONIUM MAGNETIC** (Chem.). Middle and high-boiling hydrocarbons, mainly consisting of paraffin and sulfane, obtained from the fractionation of light oil after the benzene fractions have been distilled off. (See also *benzene*, *distillation* (*Lehrer.*)). Tanning with a quick-boiling solvent such as acetone.

**SOMONIUM MAGNETIC** (Chem.). See *lysolead*.

**SOMONIUM PELLETS** (Chem.). The body of an animal, as distinct from the germ cells; cf. *remer*, *pl. somonia*.

**SOMONIUM PELLETS** (Zool.). The body of an animal, as distinct from the germ cells; cf. *remer*, *pl. somonia*.

**SOMONIUM SONAR** (Acoust.). See *sonar*, *echo sounding*.

**SOMONIUM SATELLITE**. Small telemetering system in space (Aerospace). Unit of loudness equal to a tone of 1 kHz at a level of 40 dB, above the threshold of the listener.

**SOMONIUM SONO** (Acoust.). Noise phenomenon due to sonic boom (Aero.).

**soluble-RNA** (*Biolog.*).—See page 100. A product of the hydrolysis of soluble starch (*Chem.*). A product obtained by treating starch with dilute acids, or by boiling with glycerin, which inhibits the action of diastase. The solution is diastase-soluble (*Chem.*). A substance which is chemically similar to another.

**increaser** (*Bal.*). The development of a zygotic cell, having nuclei with the usual number of chromosomes, from a cell or cells of gametophytes, the fusion of gametes being abated. *(Zool.)*

**cell (Zool.).** One of the nonproductive units of the parent body, as distinct from the productive or germ cell. *(Cyt.).* A doubling of the number of chromosomes in the nuclei of somatic cells. *(Cyt.).* Division of the metabolically dead cells. *(Gen.).* A mutation arising in a cell and not in a reproductive structure. *(Gen.).* A change in hereditary constitution during vegetative growth. *(Zool.).* In development, a cell which gives rise to somatic cells; in developing embryo, a macronucleus (*Cit.*) which divides the protoplasm to form the ventral plate.

**sonic line (*Phys.*).** The locus of field points in a 2-dimensional flow where the medium attains the velocity of sound under local conditions. *(Phys.).* General term for study of mechanical vibrations in matter. *(Mech.).*

**inclusions (*Miner.*).** Solid nonmetallic inclusions in metal. *(Miner.).* German navigational system, formed of control and command (GK V), Sonar (distress), (Mars). Distances caused by bacteria described by Carl Sonne and differing from the usual dentistry bacilli described by Shiga and by Fleischer. *(Radio).* Equipment dropped and floated on the sea to pick up aqueous noise and transmit a bearing of it to aircraft; three of such bearings enable the aircraft to fix the source of underwater noise, e.g., from submarines. *(Radio).* See microbore. *(Surf.).* A group of waves, surrounded by a distinct margin formed from the thallus of the lichen.

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